

STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT INTERGOVERNMENTAL POLICY DIVISION

May 27, 2008

Members of the Continuing Legislative Committee on
State Planning and Development:

The Honorable Eric D. Coleman
The Honorable Art Feltman
The Honorable Jonathan A. Harris
The Honorable Leonard Fasano
The Honorable Craig A. Miner
The Honorable Joseph J. Crisco, Jr.
The Honorable Bill Finch
The Honorable Antonio (Tony) Guerrero
The Honorable Jack Malone
The Honorable Richard Roy

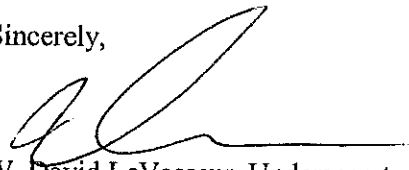
Dear Senators and Representatives:

This office has received an application from Landel Realty, LLC. for an interim change to the *Conservation and Development Policies Plan for Connecticut* in the Town of Waterford. The request is to change the state plan's Locational Guide Map in a portion of town from a Conservation Area to a Neighborhood Conservation designation. A copy of the application materials is attached. Also attached, for your information, is a copy of the Statewide Plan Locational Guide Map for Waterford with the site area identified.

Pursuant to state regulations, the Town of Waterford is afforded the opportunity to request a public hearing on this matter within twenty (20) calendar days from receipt of notification from this office that an application has been received (see attached). If requested, OPM would schedule such a hearing at the earliest convenient date. The hearing would be held jointly by the Continuing Committee and OPM.

Within ten calendar days following a public hearing, or ten days following the town's waiver of this option, OPM must make a recommendation on the application to the Continuing Legislative Committee on State Planning and Development. The Continuing Committee then has thirty days in which to render its decision regarding the application.

Sincerely,



W. David LeVasseur, Undersecretary
Intergovernmental Policy Division

Attachments

Cc: Senator Andrea Stillman, 20th Senate District
Representative Elizabeth Ritter, 38th House District
Bill Hogan, DEP
Lori Mathieu, DPH
Daniel M. Steward, First Selectman
Thomas V. Wagner, Planning Director
Edwin J. Maguire, Chair Planning and Zoning Commission
James Butler, Southeastern Connecticut Council of Governments

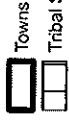
Waterford



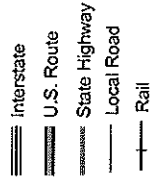
Conservation and Development Policies Plan for Connecticut 2005-2010

Locational Guide Map

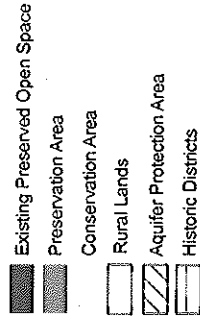
Legend



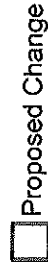
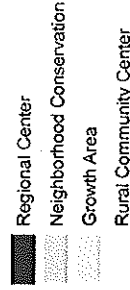
Streets



Conservation Policies



Development Policies



For general planning purposes only

May 27, 2008

MURTHA CULLINA LLP

A T T O R N E Y S A T L A W

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April 25, 2008

Robert L. Genuario, Secretary
Office of Policy and Management
State of Connecticut
450 Capitol Avenue
Hartford, CT 06106-1379

Re: Interim Amendment to Locational Map for Conservation
and Development Policies Plan for Connecticut, 2005-2010.

Dear Secretary Genuario:

I am writing on behalf of Landel Realty, LLC to request an interim amendment to the Locational Map for Waterford incorporated in the Conservation and Development Policies Plan for Connecticut, 2005-2010 ("State Plan"), pursuant to Section 16a-32(b)(2) of the Connecticut General Statutes.

The applicant is an option owner of property located in Waterford, Connecticut west of Bloomingdale Road and East of Vauxhall Street Extension, as shown on the attached maps. The owner of record is CDK Associates, LLC, which has authorized the applicant to submit this application to your agency. As required by Section 16a-24b-2 of the Regulations of Connecticut State Agencies, I am submitting this application in triplicate with supporting documentation consisting of:

- 1) the required depiction of the land area proposed to be changed outlined on a U.S. Geological Survey topographic series map at a scale of 1:24,000 (1"-2,000') and identified as Area 1; and
- 2) three supplemental drawings at a more detailed scale showing a) the existing designations and development at and surrounding the property, titled "Existing Designations;" b) the proposed designations which my client seeks on the property, titled "Proposed Designations;" and c) a map, titled "Gravity Feed Sewer," showing the feasibility of a gravity sewer to serve the property, the location of existing off-site sanitary sewer service to which the property would

Robert L. Genuario, Secretary
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connect on Hillcrest Street, and the location of an existing sanitary sewer on the property itself at the southern end of the site.

The property is approximately 171 acres in size. Although the Existing Designations and the Proposed Designations maps show some areas of preserved open space on the parcel, our surveyor believes this is a cartographic artifact and that there are no conservation easements recorded on the land records for this property. As you will see by comparing the foregoing two drawings, the bulk of the property is currently designated as Conservation Area, with a large area of Preservation Area in the northwestern part of the property. The applicant wishes to have a portion of the property as shown on the Proposed Designations drawing, changed from Conservation Area to Neighborhood Conservation, to permit the development of a subdivision utilizing sewer and water, while preserving almost 60% of the property as open space. The applicant is not proposing any change to the Preservation Area in this application. In the future, if this map change is authorized, and the water pollution control authority and planning and zoning commissions in Waterford approve the proposal, the areas currently designated as Conservation Areas and Preserved Open Space will be subject to a Conservation Easement and will be eligible for the Existing Preserved Open Space designation.

In reviewing the Locational Map, it is not immediately apparent why the area where the subdivision is proposed is classified as Conservation Area rather than Rural Land, except that it may be within the watershed of Lake Brandegee, which the City of New London has abandoned as a reservoir. If that is the reason for the Conservation Area designation, it is no longer appropriate.

The Neighborhood Conservation Area, which is the classification the applicant seeks for 70 acres of the property, is designed to "promote infill development in areas that are at least 80 percent built up and have existing water, sewer and transportation infrastructure to support such development."

As you can see from the three maps, the Neighborhood Conservation designation is applied to the developed properties on either side of the property, and the Area 1 parcel is currently served by an existing sewer line at its southern end. Reclassification of the property is unlikely to have an adverse impact on any of the surrounding properties, and would have the benefit of making approximately 100 acres eligible for a conservation easement should the project move forward.

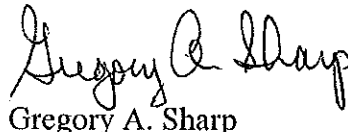
In summary, the applicant seeks an amendment of the State Plan Locational Map for Waterford to amend the classification of his property from Conservation Area to Neighborhood Conservation and, for the foregoing reasons, respectfully requests the Secretary to grant the change.

Robert L. Genuario, Secretary
April 25, 2008
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While I will allow the municipal officials to speak for themselves through the amendment process, it is my understanding that my client has spoken informally to staff of various departments in Waterford, and has made a presentation to the Waterford Utility Commission, the town's water pollution control authority, about the project. Unfortunately, it is my understanding that the Utility Commission will not act on the proposal unless the Locational Map is changed, and my client cannot obtain planning and zoning approvals until the Utility Commission indicates the property map be connected to the Town's sewer.

If you have any questions on the foregoing, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Gregory A. Sharp".

Gregory A. Sharp

Enclosures:

U.S.G.S. Quadrangle Map
Three Drawings

cc: Mr. Anthony Silvestri, Landel Realty, LLC
James Bernardo Land Surveying, LLC
CDK Associates, LLC



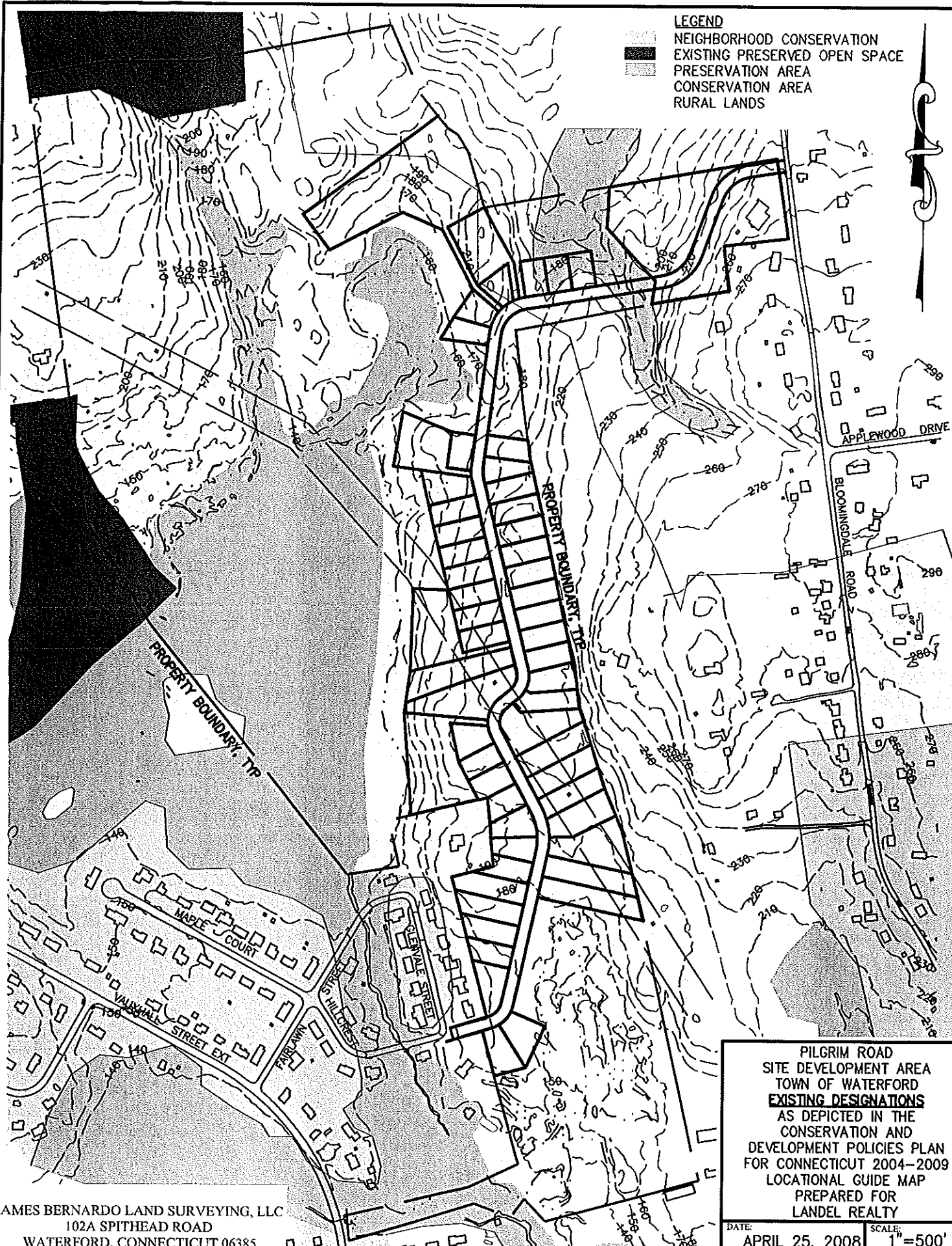
JAMES BERNARDO LAND SURVEYING, LLC
 102A SPITHEAD ROAD
 WATERFORD, CONNECTICUT 06385
 (860) 447-0236

LOCATION MAP
 PILGRIM ROAD
 SITE DEVELOPMENT AREA
 TOWN OF WATERFORD
 PREPARED FOR
 LANDEL REALTY

DATE:	APRIL 25, 2008	SCALE:	NONE
DRAWING NO:	07071-E2	SHEET NO:	1 OF 1

LEGEND

- NEIGHBORHOOD CONSERVATION
- EXISTING PRESERVED OPEN SPACE
- PRESERVATION AREA
- CONSERVATION AREA
- RURAL LANDS



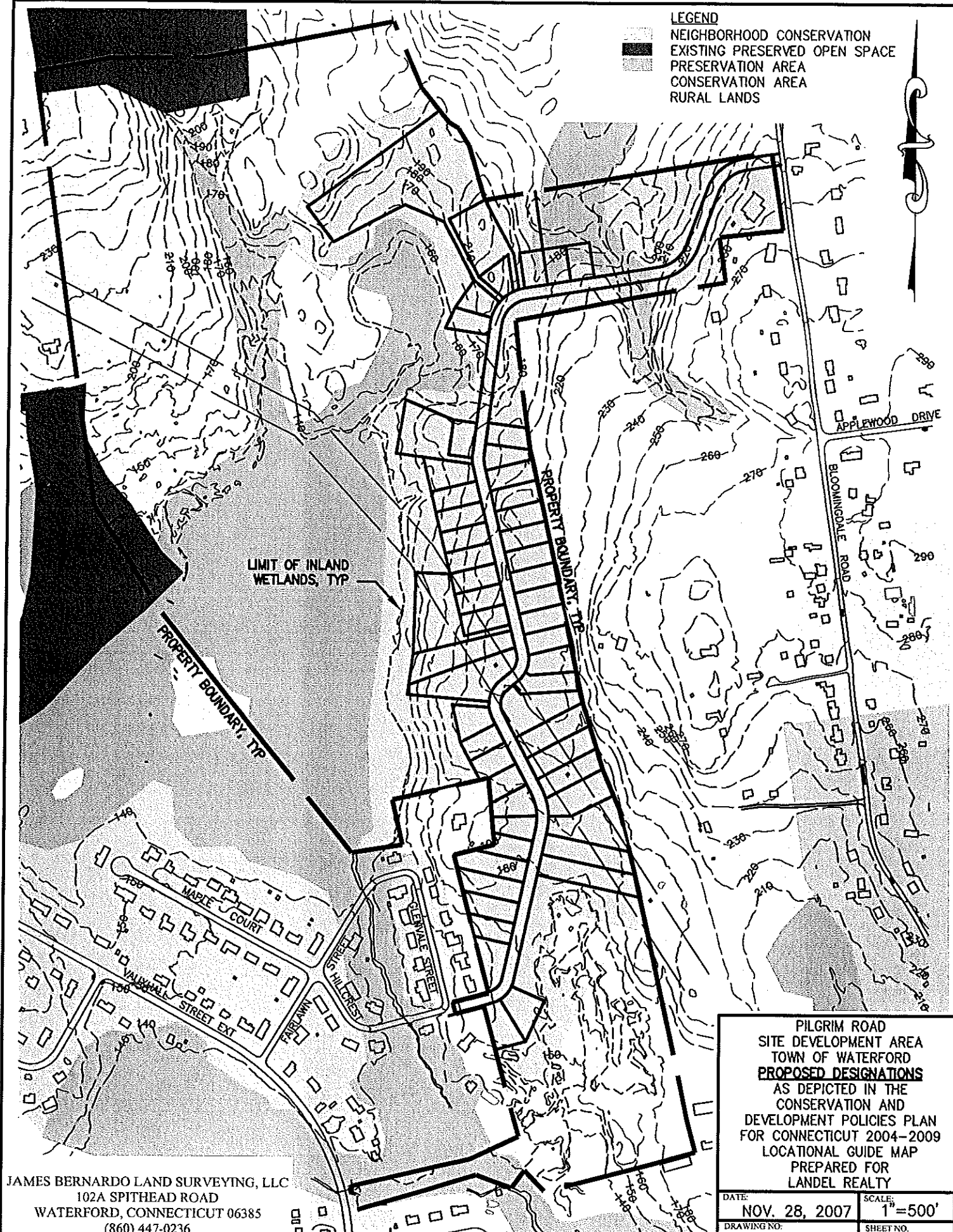
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PILGRIM ROAD
 SITE DEVELOPMENT AREA
 TOWN OF WATERFORD
EXISTING DESIGNATIONS
 AS DEPICTED IN THE
 CONSERVATION AND
 DEVELOPMENT POLICIES PLAN
 FOR CONNECTICUT 2004-2009
 LOCATIONAL GUIDE MAP
 PREPARED FOR
 LANDEL REALTY

DATE:	APRIL 25, 2008	SCALE:	1"=500'
DRAWING NO.	07071-E1	SHEET NO.	1 OF 1

LEGEND

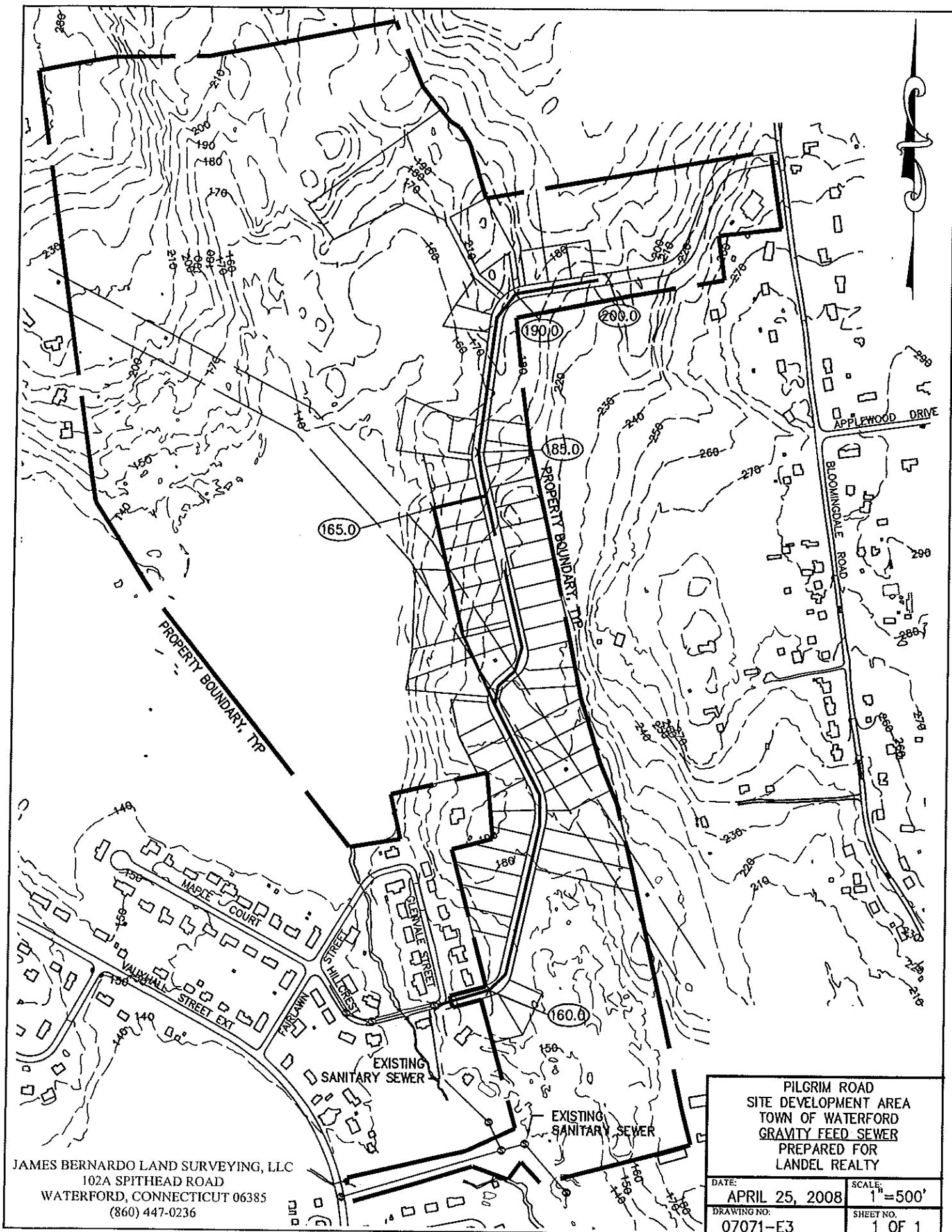
- NEIGHBORHOOD CONSERVATION
- EXISTING PRESERVED OPEN SPACE
- PRESERVATION AREA
- CONSERVATION AREA
- RURAL LANDS



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 102A SPITHEAD ROAD
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PILGRIM ROAD
 SITE DEVELOPMENT AREA
 TOWN OF WATERFORD
PROPOSED DESIGNATIONS
 AS DEPICTED IN THE
 CONSERVATION AND
 DEVELOPMENT POLICIES PLAN
 FOR CONNECTICUT 2004-2009
 LOCAL GUIDE MAP
 PREPARED FOR
 LANDEL REALTY

DATE:	NOV. 28, 2007	SCALE:	1"=500'
DRAWING NO:	07071-E2	SHEET NO:	1 OF 1



JAMES BERNARDO LAND SURVEYING, LLC
102A SPITHEAD ROAD
WATERFORD, CONNECTICUT 06385
(860) 447-0236

PILGRIM ROAD SITE DEVELOPMENT AREA TOWN OF WATERFORD GRAVITY FEED SEWER PREPARED FOR LANDEL REALTY	
DATE: APRIL 25, 2008	SCALE: 1"=500'
DRAWING NO: 07071-E3	SHEET NO: 1 OF 1